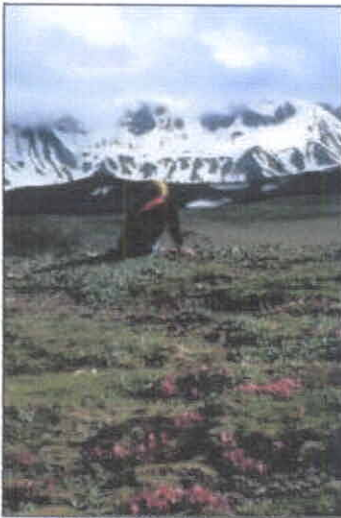


Home Assembly Planning Commission School District Manager  
Clerk's Office Community Development Economic Development Finance

Located southwest of Anchorage along the Alaska Peninsula, the Lake and Peninsula Borough encompasses approximately 23,782 square miles of land (roughly the size of West Virginia) and 7,125 square miles of water, extending 400 miles from Lake Clark in the north to Ivanof Bay in the south. It contains three National Parks (Lake Clark National Park & Preserve,



Aniakchak National Monument  
& Preserve  
©Alaska Division of Community  
& Business Development

Katmai National Park & Preserve and Aniakchak National Monument & Preserve); two National Wildlife Refuges (Becharof NWR and the Alaska Peninsula NWR); and numerous designated Wild and Scenic Rivers and State Critical Habitat Areas.

The Lake and Peninsula Borough is geographically and ecologically diverse. It is bordered on the west by Bristol Bay and on the east by the Pacific Ocean. The Bristol Bay coast is comprised of low lying wetlands and the rugged Pacific coast is dominated by numerous volcanoes of the Aleutian range which runs the length of the Borough from Lake Clark to Ivanof Bay. Iliamna Lake, located in the north, is the largest fresh water lake in Alaska and the second largest in the United States. Iliamna Lake has one of only two colonies of freshwater seals in the world. Becharof Lake, located in the Bristol Bay region, is the second largest fresh water lake in Alaska. These lakes provide nurseries to the largest red salmon runs in the world.



Brown bears at Katmai National Park  
©E. Semmer, Alaska Division of Tourism

The Lake and Peninsula Borough provides large amounts of high quality habitat that support a phenomenal amount of flora and fauna. The Bristol Bay region

is recognized as a world leader in salmon productivity. Commercial fishing, sport fishing and hunting, bear viewing, recreation and tourism, and subsistence are important economic activities that rely on the bounty of the Borough's landscape. Salmon spawning streams attract some of the largest concentrations of brown bear in Alaska. Approximately 10,000 brown (grizzly) bears populate the region, making them more numerous than people. Abundant moose and caribou inhabit the region. Other mammals include wolves, wolverines, river otters, red fox, and beaver. Sea otters, sea lions, harbor seals and migratory whales inhabit the shoreline and offshore waters. Coastal estuaries are home to waterfowl while nesting eagles, peregrine falcons, and thousands of seabirds inhabit the sea cliffs.

## GOVERNMENT



Spawning Salmon  
©Alaska Division of Tourism

The Lake and Peninsula Borough was incorporated in April 1989 as a home-rule borough with a manager form of government. A seven-member Assembly acts as the legislative body for the Borough. Six members are elected by district and the Mayor is elected at large.

Staff consists of five full-time employees: Borough Manager, Borough Clerk/Special Projects Coordinator, Finance Officer, Community Development Coordinator, and an Economic Development Coordinator. The Borough also utilizes the services of legal council, a lobbyist, and a fisheries advisor who work on specific projects. The Borough currently exercises limited powers and services which include public schools, area-wide planning and land use regulation, technical assistance on government and economic development, and assistance on capital and infrastructure development. The



Borough is predominately rural and contains seventeen communities, six of which are incorporated as second-class cities. Village or Tribal Councils govern the remaining eleven communities.

The Borough levies three local taxes: a 2% Raw Fish Sales and Use Tax, a 6% Hotel/Motel Room Tax, and a severance tax on the harvest of certain natural resources within the Borough. In addition, the Borough requires anyone who conducts guided activities within Borough boundaries to purchase a guiding permit based on the amount of visitors/clients they have.

The Borough Assembly has adopted conservative budgeting practices including the "forward funding" method, which precludes it from adopting a general fund budget that is more than the general fund balance of the previous year-end. The Borough's General Fund balance at the end of FY02 was \$3,490,558. The FY03 General Fund operating budget (excluding grants) is \$2,713,000.

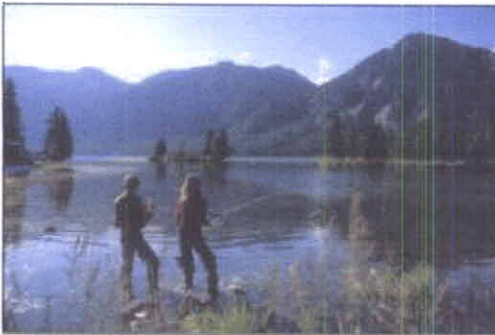
## HISTORY

The Lake and Peninsula Borough region has been inhabited almost continuously for the past 9,000 years. The area is rich in cultural resources and diversity. Yup'ik Eskimos, Aleuts, Athabascan Indians, and Inupiaq people have jointly occupied the area for the past 6,000 years. Russian explorers came to the region during the late 1700's. The late 1800's brought the first influx of non-Native fishermen and cannery operations. A flu epidemic in 1918 was tragic to the Native population. Reindeer were introduced to assist the survivors, but the experiment eventually failed. In the 1930's, additional disease epidemics further decimated villages. After the Japanese attack on Dutch Harbor during World War II, numerous military facilities were constructed on the Alaska Peninsula including Fort Marrow at Port Heiden.



## ECONOMY

Commercial fishing and fish processing are the most significant sectors of the economy within the Borough, which contains three of the State's most important salmon fishing districts: Egegik and Ugashik on the Bristol Bay, and Chignik on the Pacific coast. This industry provides approximately 90% of all locally generated tax revenue for the Borough. The majority of Borough residents rely upon commercial fishing as a primary source of cash income. Seven shore-based



Fishing in Lake Clark  
© Richard W. Montague  
Alaska Division of Tourism

processors and numerous floating processors operate within Borough boundaries, generally importing their workforce from outside the area.

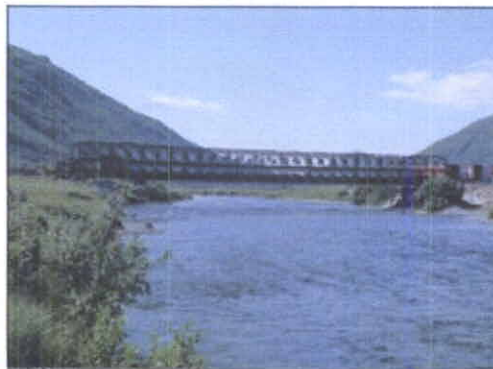
Tourism and recreational activities are the second most important industry in the Borough, and are rapidly increasing in economic importance. The Borough contains over 60 hunting and fishing lodges and approximately 100 professional guides are registered to operate within Borough boundaries.

## CLIMATE

The area experiences a transitional climate. Average summer temperatures range from 42 to 62; winter temperatures range from 6 to 30. Annual precipitation is 24 inches, with 54 inches of snow.

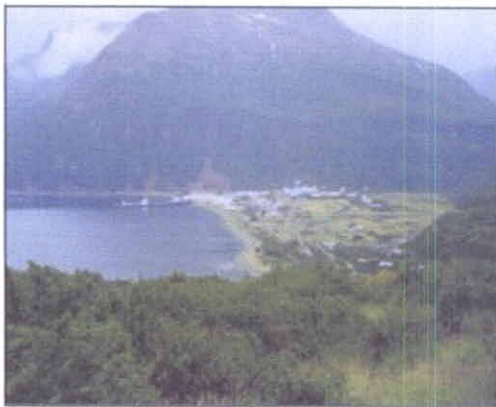
## TRANSPORTATION

The Lake and Peninsula Borough contains seventeen small and widely scattered communities.



Chinkeleyes River Bridge  
Williamsport - Pile Bay Road  
Photo courtesy of Marv Smith

Only two, Iliamna and Newhalen, are connected by road. There are two regional roads located in the Borough: the Iliamna - Nondalton Road and the Williamsport - Pile Bay Road. Scheduled air service provides transportation of passengers to the region's hubs in Iliamna and King Salmon. Air taxi and charter service transport passengers from the hubs to local communities. Heavy cargo and durable goods are transported to Borough communities by ship, barge or ferry. Chignik is the only community served by the Alaska Marine Highway System, calling on the community about 6 times per year beginning in April and ending in October. The



Chignik Bay  
Photo courtesy of Marv Smith

Williamsport - Pile Bay Haul Road provides access from the Pacific side to the Iliamna Lake communities. Perishable goods and time-value cargo are shipped by air, typically through King Salmon, Iliamna or Port Heiden.

## COMMUNITIES

Borough communities have a combined year-round population of approximately 1823 people, 79.7% of which are Alaska Native, mostly of Athabascan Indian, Aleut, or Yup'ik Eskimo decent. Communities located within Borough boundaries include: Chignik Bay, Chignik Lagoon, Chignik, Lake, Egegik, Igiugig, Iliamna, Ivanof Bay, Kokhanok, Levelock, Newhalen, Nondalton, Pedro Bay, Perryville, Pilot Point, Port Alsworth, Port Heiden, and Ugashik.

To learn more about individual communities, click on the community name to access the Alaska Department of Community & Economic Development's Alaska Community Database.

1. [Chignik Bay](#)

10. [Newhalen](#)

11. [Nondalton](#)

- |                                   |                                   |
|-----------------------------------|-----------------------------------|
| 2. <a href="#">Chignik Lagoon</a> | 12. <a href="#">Pedro Bay</a>     |
| 3. <a href="#">Chignik Lake</a>   | 13. <a href="#">Perryville</a>    |
| 4. <a href="#">Egegik</a>         | 14. <a href="#">Pilot Point</a>   |
| 5. <a href="#">Igiugig</a>        | 15. <a href="#">Port Alsworth</a> |
| 6. <a href="#">Iliamna</a>        | 16. <a href="#">Port Heiden</a>   |
| 7. <a href="#">Ivanof Bay</a>     | 17. <a href="#">Ugashik</a>       |
| 8. <a href="#">Kokhanok</a>       |                                   |
| 9. <a href="#">Levelock</a>       |                                   |

Source: Alaska Dept. of Community and Economic  
Development [www.dced.state.ak.us/cbd/commdb/CF\\_CIS.htm](http://www.dced.state.ak.us/cbd/commdb/CF_CIS.htm)

Copyright © 2004 Lake and Peninsula Borough



Fw: acmp

**Subject:** Fw: acmp  
**From:** "Andrew deValpine" <bbersant@nushtel.com>  
**Date:** Fri, 5 Aug 2005 13:32:45 -0800  
**To:** <helen.bass@noaa.gov>

----- Original Message -----

**From:** Andrew deValpine  
**To:** helen.bass@ocrm.gov  
**Sent:** Friday, August 05, 2005 12:50 PM  
**Subject:** acmp

Helen:

Attached are the comments of the Bristol Bay CRSA regarding the scoping for the proposed amendment to the Alaska Coastal Management Program.

Andrew deValpine  
Dillingham, AK

bbcrsa cmmnts.doc	<b>Content-Type:</b> application/msword
	<b>Content-Encoding:</b> base64

Mr. John R. King, Responsible Program Officer  
Coastal programs Division  
Office of Coastal Resource Management  
National Ocean Service  
SSMC4, Room 11305  
1305 East-West Highway  
Silver Spring, MD 20910-3281

August 5, 2005

Mr. King:

The Bristol Bay CRSA, based in Dillingham, AK, has 492 miles of coastline and anadromous fish streams reaching hundreds of miles inland. One watershed in the eastern part of our district is larger than Vermont. The Togiak National Wildlife Refuge, which lies in the western part of our district, is larger than Connecticut and Rhode Island combined. The Wood-Tikchik State Park, lying between these two, contains 1.6 million acres that includes important salmon-rearing habitat, to name just one important habitat in the park.

These watersheds support economically valuable commercial and sport fisheries, as well as spiritually valuable subsistence fisheries. Moose and caribou use these same watersheds, as well as migratory waterfowl and songbirds. Offshore are rich feeding grounds for Beluga and Gray whales as well as for sea lions, walrus, and seals.

The bill that set all these changes to the Alaska Coastal Management Program in motion, HB 191, states at the beginning:

*(1) the Alaska coastal management program (ACMP) is intended to function with a minimum of delay and avoid regulatory confusion, costly litigation, and uncertainty regarding the feasibility of new investment; (2) there is a need to update and reform the existing statewide standards of the ACMP so that they are clear and concise and provide needed predictability as to the applicability, scope, and timing of the consistency review process under the program; (3) there is a need to update and reform the district coastal management plans under the ACMP so that the local enforceable policies within those plans are clear and concise, provide greater uniformity in coastal management throughout the state, relate to matters of local concern, and do not duplicate state and federal requirements;*

Any scoping of the potential affects brought about by the changes to the ACMP should begin with an assessment of those claims – if they are invalid, for example, then that would frame how the affects of the proposed amendment are assessed. The same holds if they are valid claims. An Environmental Impact Statement (EIS) analysis of the proposed ACMP amendment should take as its starting point these words by ground-truthing these claims and assertions.. We should see data on how the ACMP worked or did not work in order to evaluate how the amended program will or will not work better. To that end, the EIS should

- Document claims that ACMP held up any projects through regulatory confusion
  - Document litigation that arose from the ACMP;
  - Document delays;
  - Of those projects the ACMP did hold up, show why or how those projects were held up, and then show how the new program would have changed the picture and, thus, how it would affect the human environment;
  - Give percentages of projects held up.
- Assess these issues raised in HB 191: predictability and confusion. Is the amended program less confusing and, hence, more predictable? As part of this, a flow-chart delineating the old consistency review process next to the new could be instructive.
- If the amended program proves to be more predictable, what does this mean for the developed environment? Is it possible to provide predictability and uniformity while at the same time relating to matters of local concern?

The net effect of the changes to the ACMP is a centralization of decision-making in the state agencies and, in particular, the Department of Natural Resources and the Department of Environmental Conservation. An EIS should assess the affects of a centralized v. a decentralized program: How does a reduced local role affect the human environment locally, where the effects of a project will be felt? An EIS could take an existing project that went through the ACMP process and was modified during that process through local policies and compare what would happen under the new ACMP.

New measures set in motion by HB 191 will reduce the ability of coastal districts to manage coastal resources and uses. New requirements for "prescriptive" policies will eliminate the current process where districts negotiate with an applicant to find project-specific solutions to issues that are tailored to the specific proposal and area of the development. An EIS should explore the ramifications of this rigidity on the human environment.

The elimination of Coastal Policy Council (CPC) removes districts from the coastal decision-making process -- districts had the majority of votes on the CPC. The June 2 description of the ACMP states that districts will no longer have representation on the ACMP Working Group. Some specific standards, such as recreation and subsistence, only have substance through the local coastal district programs since there are no implementing authorities within the state. It is necessary for local coastal district programs to designate these areas to be able to subsequently develop policies that would apply within the designated boundaries. Designating these areas and writing acceptable policies for them thus far has been problematic.

Regarding subsistence, which, as stated, is spiritually as well as economically important to the people of this region, there have been several changes that have weakened this standard. Provisions to assure access to subsistence resources have been removed. District policies can only be established for areas designated for subsistence use. Policies may only address the use and not the resource itself.

It remains to be seen what evidence DNR will require for establishing a subsistence use area. Subsistence use for some resources, namely caribou, can change from year-to-year because

of changes in migration patterns. Comments on draft plans by DNR state that the "avoid or minimize" clause in the standard adequately addresses most issues and that districts could only "allow or disallow" a use. The standard does not include a mitigation clause even though many development projects will have adverse impacts where mitigation would be appropriate. Further, as a CRSA, which is a political subdivision of the state but not a municipality with Title 29 planning powers, whether we can lawfully allow and disallow uses is a question yet to be decided by the state's attorney general. Given the essential and fundamental importance of subsistence to rural Alaska, where the vast majority of the state's coastal zone lies, an EIS should thoroughly explore and assess the affects of changes to the subsistence standard and how it is to be applied and developed. These changes also raise the question of environmental justice, in this case whether the affects of industrial developments will fall disproportionately on Native people in rural Alaska.

A change in the habitats standard removes upland habitats as a special category in the standard. Conceivably, what happens in the uplands can profoundly affect the coastal zone as currently defined. An EIS should explore whether this omission could have significant negative effects to the human environment.

Districts may only establish policies for areas they designate as important habitat. Returns on the first round of plan revisions suggest designating important habitat will not be easy, if it is possible at all. This would leave state law to protect important habitats, but state law may be inadequate to protect habitats. An EIS should compare regulatory authorities of the Office of Habitat Management and Permitting (OHMP) and the heft that was added by local policies and state standards pre-HB 191 with what OHMP will be able to do with the new program. An EIS should analyze the limitations of habitat areas, as laid out in the regulations. An EIS should also analyze 11 AAC 12.300 (c)1(B)(ii), where important habitat is described as habitat "(ii) that is shown by written scientific evidence to be significantly more productive than adjacent habitat."

The proposed amendment to the ACMP describes sweeping changes to the program. As such, it deserves a thorough airing and analysis. Thank you for this opportunity to comment.

Andrew deValpine  
Director, Bristol Bay CRSA

Subject: ACMP Scoping Comments

From: "Bob Shavelson" <bob@inletkeeper.org>

Date: Fri, 5 Aug 2005 15:13:35 -0800

To: <john.king@noaa.gov>

CC: "Bill Millhouser" <Bill.Millhouser@noaa.gov>, <Helen.bass@noaa.gov>, "Eldon Hout" <Eldon.Hout@noaa.gov>

Hi John –

Attached please find scoping comments from Cook Inlet Keeper, Alaska Center for the Environment and the Southeast Alaska Conservation Council on the ACMP DEIS.

Thanks and let me know if questions.

Bob Shavelson  
Cook Inlet Keeper  
P.O. Box 3269  
Homer, AK 99603  
p.907.235.4068 ext 22  
f. 907.235.4069  
c.907.299.3277  
bob@inletkeeper.org  
www.inletkeeper.org

1995-2005: Ten years protecting Alaska's Cook Inlet watershed & the life it sustains. Join Cook Inlet Keeper today! [www.inletkeeper.org](http://www.inletkeeper.org)

080505 ACMP DEIS Scoping Comments.doc

Content-Type: application/msword

Content-Encoding: base64

# **ALASKA CENTER FOR THE ENVIRONMENT SOUTHEAST ALASKA CONSERVATION COUNCIL COOK INLET KEEPER**

VIA EMAIL ONLY  
(john.king@noaa.gov)

August 5, 2005

John King, Program Manager  
Office of Coastal Resource Management/Coastal Program Division  
NOAA/National Ocean Service, SSMC4, Room 11305  
1305 East-West Highway  
Silver Spring, MD 20910-3281

## **I. INTRODUCTION**

Cook Inlet Keeper, the Alaska Center for the Environment and the Southeast Alaska Conservation Council ("commentors") are community-based nonprofit organizations dedicated to, among other things, protecting coastal resources and communities in Alaska. Commentors' members rely on healthy coastal resources for their livelihoods and their quality of life. Please accept these comments on behalf of commentors and their over 10,000 Alaskan members on the Draft Environmental Impact Statement (DEIS) pursuant to the National Environmental Policy Act (NEPA) for the revised Alaska Coastal Management Program (ACMP).

As a threshold matter, commentors note the remarkably short time frame dedicated to drafting the DEIS specifically, and the dearth of public involvement associated with the ACMP revision process generally. The State of Alaska has made few efforts to meaningfully engage the general public in the substantial ACMP changes proposed, and has made virtually no effort to consult with federally-recognized Native Tribes. Instead, the Governor's office and supporting agencies have bulldozed through concerns about sustainable fisheries, dismissed the repeal of local controls, and thumbed their noses at reasonable attempts to negotiate a workable ACMP. The atmosphere created by the State's heavy handed tactics has left coastal communities distrustful and suspicious, and cast a burden on OCRM to ensure the DEIS reflects local voices and concerns.

The importance of the ACMP's EIS cannot be understated: the last EIS for the ACMP endured for 25 years, and the pending analysis will help shape coastal management decisions for years to come. As a result, it is critical OCRM analyze the full range of alternatives available, including a no action alternative, and thoroughly understand the reasonably foreseeable individual and cumulative effects that may flow from the

proposed ACMP changes. Additionally, the DEIS should discuss how the proposed revisions with the ACMP will comport with the findings required for program approval under the federal CZMA.

## **II. COMMENTS**

### **A. Effects of Reduced Local Control & Participation**

Some of the most draconian changes to the ACMP revolve around the virtual elimination of meaningful local control and input in coastal project reviews, including the removal of meaningful local enforceable policies. OCRM must analyze the full range of impacts and implications stemming from this loss of local control and input, including but not limited to:

- Proposed ACMP changes embrace “prescriptive” policies that will eliminate the current process where local districts negotiate with an applicant to find project-specific solutions to issues of concern, and where such solutions are tailored to the specific proposal and the area of the development. The DEIS must analyze how the application of such prescriptive policies will diminish and/or enhance coastal resource protection.
- Local ACMP participation historically has provided incentives for local communities and governments to carefully oversee development projects in their jurisdictions. The DEIS must analyze the effects the proposed changes to local participation will have on coastal resource protection and management. For example, where will coastal impacts from industrial development increase or decrease
- The effects stemming from the elimination of the Coastal Policy Council (CPC), where districts once had a meaningful say in the coastal decision-making process, and the state’s recent efforts to cut district representation from the ACMP Working Group.
- The effects of the proposed changes on opportunities for public comments and participation in coastal management decisions.
- The effects on coastal resources and communities in areas where coastal districts drop out of the program and/or do not revise their coastal management plans.
- The DEIS must analyze the effects if/when local communities develop their own local zoning or other rules or ordinances outside of the ACMP process, and how such piecemeal regulation across the state will affect the timing and effectiveness of permitting decisions and coastal resource protection. This analysis should also address the extent to which local governments can address matters formerly addressed by enforceable policies, under their Title 29 powers (including but not limited to how local governments can manage coastal resource impacts stemming from development projects on federal lands and in Outer Continental Shelf waters?).

This analysis must also include impacts and effects in Coastal Resource Service Areas (CRSAs) where there is no regional planning or zoning authority.

- Evaluate specifically the gaps that will be left from the elimination of local enforceable policies for protection of coastal resources and uses.
- Provide a comprehensible analysis on how the concepts discussed in the State's June 2, 2005, submittal to OCRM will limit affect district policies (e.g., how will the concepts of "flow from," "adequately addressed," "DEC carve out," "stringent versus specific," and "avoid, minimize and mitigate" affect coastal resources and uses, and public participation?).
- Analyze the State's comments on the Public Hearing Drafts of revised coastal district plans, and determine the types of policies that would/would not be permissible under the State's new restrictions

## **B. Statewide Standards & Definitions**

In its efforts to remove most substantive coastal protections from the ACMP, the State not only eliminated localities from effective participation and control, but also gutted the statewide standards designed to promote uniform rules and predictability throughout the coastal zone. Among other things, the DEIS must evaluate:

- How changes to statewide standards and other changes will affect permitting timelines and coastal protections for specific industry sectors;
- How changes to statewide standards and related changes will improve or decrease coastal protections for specific resources and uses, and if coastal protections will be weakened, how and to what extent will they be weakened, and what state laws exist to attempt to fill this management void.
- Aside from the effects from the changes to statewide standards generally, some of the most serious rollbacks have occurred in the mining, habitat, subsistence and energy facility standards. Accordingly, the DEIS should carefully analyze the effects of changes to these standards, and their effects on coastal resources and uses, and public participation.
- The DEIS must evaluate the changes to ACMP definitions and their effects on coastal resources protections and uses.

## **C. Consistency Review Process**

The State's proposed changes will virtually eliminate meaningful participation by coastal districts and local citizens in the consistency review process. As a result, all changes to the ACMP consistency review process, and their effects on coastal resources and uses and public participation, must be evaluated, including but not limited to:

- The effects of limiting reviews to activities occurring within the coastal zone, and how projects outside the coastal zone that affect coastal resources will affect permitting timelines, coastal resources and uses and public participation. This analysis should clarify state and local roles and responsibilities for projects outside the coastal zone that may affect coastal resources and uses.
- The effects from legislative mandates to enhance the list of projects receiving cursory, site-specific reviews (i.e. enlarging the A and B lists)
- The effects of the legislative elimination of coal bed methane projects from consistency reviews.
- How the new 90-day limit for consistency reviews will affect protections for coastal resources and uses, and public participation.

#### **D. Air and Water Quality Issues**

Perhaps the greatest fallacy foisted upon Alaskans by the State in this process has been that “carving out” air and water quality protections from the consistency review process will result in adequate coastal protections. The responsible state agency, ADEC, remains understaffed, under funded and too vulnerable to political pressures to fill the void left by the removal of local enforceable policies and meaningful district coastal plans. Accordingly, the DEIS must include a thorough analysis of the effects of removing matters regulated by the DEC from the consistency review process, including but not limited to:

- What air and water quality matters NOT regulated by ADEC exist, and can coastal districts exert any influence over such issue areas.
- Evaluate the scope of review for projects that require both a ADEC permit and federal agency permits (e.g., a DEC 401 certification and either an EPA NPDES permit or a Army Corps of Engineers 404 permit).
- Explain the process for districts to participate in consistency comments for air and water quality aspects of Outer Continental Shelf (OCS) projects in light of the fact ADEC has no authority in federal waters.
- Analyze the effects on ADEC staffing and resources needed to meet current and reasonably foreseeable permit issuance work loads.

#### **E. Environmental Justice & Government-to-Government Consultation**

The State’s proposed changes will disproportionately impact Native Alaskans and others who rely heavily on subsistence resources. As discussed, the State has made

an anemic effort to include Tribal communities in ACMP revision discussions. As a result, the EIS must, among other things, include:

- Evaluation of Native Alaskan consultation procedures to understand and address impacts to subsistence resources as required by federal Executive Orders 12898 & 13175, and in the NOAA Administrative Order Series 216-6.
- A review of state mechanisms to engage Native Tribes in meaningful consultations over state permitting and related decisions.
- The effects on Alaska Native cultures, communities, lifeways, resources and economies from the proposed ACMP changes, including but not limited to how changes in the statewide subsistence standard will affect Tribal resources and uses.
- Effects to Native Tribes, uses and resources from OCS developments.

#### **F. Offshore (OCS) Projects**

The state has no authority outside of the CZMA to regulate projects on the OCS, yet activities such as offshore oil and gas, methane hydrate development and fish farming pose legitimate risks to local coastal resources. As a result, OCRM must analyze the following:

- Effects on coastal resources and uses from air and water quality impacts flowing from activities on the OCS.
- Effects on district and public participation in ADEC's consistency review process for OCS projects.
- How the proposed ACMP changes improve/decrease the State's ability to protect and manage coastal resources from OCS activities.

#### **G. Public Participation**

The Murkowski Administration has taken special efforts in the ACMP revision process and elsewhere to quash citizen participation and input in decisions affecting public trust resources. Because the CZMA envisions a participatory framework involving a diverse array of stakeholders, the DEIS must evaluate:

- Effects of eliminating projects from ACMP reviews (i.e. enlarging the A or B lists, and removing coal bed methane projects from review)
- Effects of removing public challenges for ACMP consistency determinations.
- How reduced or eliminated public notice will affect public participation and coastal resource protection.

- Effects of interest group participation and influence over the ACMP and the ACMP revision process (i.e. extractive industries have had a front row seat in all substantive ACMP deliberations, while citizens, including Tribes, have either been precluded from such discussions or discouraged from participating).

### III. Conclusion

It has been a long and painful process to watch Governor Murkowski unravel a once successful coastal management program. The ACMP revision process has become a metaphor for a management ideology that embraces corporate interests and rapid development over Alaskan interests and sustainable coastal resource management. As a result, OCRM has an opportunity – and a duty – to fully weigh the broad range of impacts and effects from the sweeping changes to the ACMP, including all reasonably foreseeable social, cultural, ecological and economic effects.

Thank you for the opportunity to comment, and please feel free to contact Bob Shavelson with any questions or comments at: Cook Inlet Keeper, P.O. Box 3269, Homer, AK 99603; ph: 907.235.4068 ext 22; bob@inletkeeper.org.

Very truly yours,



Bob Shavelson  
Cook Inlet Keeper

Submitted on behalf of:

Randy Virgin  
Alaska Center for the Environment

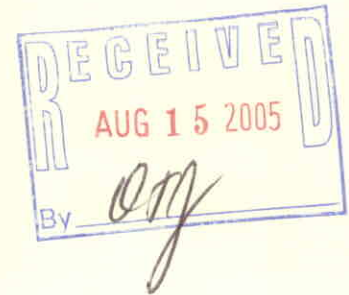
Buck Lindekugel  
Southeast Alaska Conservation Council

Cc: Alaska Coastal District Association



# Representative Beth Kerttula

Alaska State Legislature District 3



August 4, 2005

John King  
Program Manager  
Coastal Program Division OCRM  
National Ocean Service  
SSMC4 Room 11305  
1305 East-West Highway  
Silver Spring, MD 20910-3281

Re: ACMP EIS Scoping

Dear Mr. King:

I am writing with several problems I think should be addressed in the EIS concerning the proposed changes to the Alaska Coastal Zone Management Program.

Modifications to the statewide standards have the potential to weaken protections for subsistence resources and habitats. Provisions to assure access to subsistence resources have been removed and districts may only establish policies for areas they designate as important habitat.

These losses of local control reduce the ability of the coastal districts to manage coastal resources and uses. The people who manage Alaska's coastal districts know better than anyone how to balance development and protection of coastal resources and they should be allowed to continue to make these important decisions.

The City and Borough of Juneau will lose the Juneau Wetlands Management Plan (JWMP) which has been in place since 1992 and has minimized impact on high value wetland and promoted development on low value wetlands through an expedited process. Juneau will also lose other important policies on issues such as streamside setbacks, coastal development and seafood processing.

John King  
August 4, 2005  
Page Two

Changes to statewide standards and limitation of the district's enforceable policies will have significant effects on the coastal areas of Alaska. While some of the changes on their own may appear minimal, taken together they could have a significant effect on the future of Alaska's coastal communities.

Thank you for taking into consideration my comments and those of Alaskans who are working hard to retain our ability to effectively manage development in our coastal regions.

Sincerely,



Representative Beth Kerttula